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JOHN MITCHELL, JR., - EDITOR

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Entered in the Post Office at Richmond, Va., as Second-Class Matter, July 23, 1904.

SATURDAY . . . JULY 23, 1904

THE STREET-CAR COMPANY "BUSTED."

The long expected has happened and the street-car company of this city has been forced to admit that it is unable to pay its expenses. That this result in a large measure was brought about by the walking colored people admits of no question.

The company alleged that the "Jim Crow" arrangement was necessary in order to keep the company out of the hands of the receivers, and consequent bankruptcy.

We were confident that if the colored people would maintain their self-respect, and walk and sweat that it would result in the financial collapse of the street-car company. This prediction has been verified.

The Citizens Mass meeting advised the colored people to walk, and to those who would ride, the advice was given that they obey the law. As a result, numbers of white people have been arrested and fined and but one colored resident of this city has been the victim. This will be an object lesson to the Negro-hating management of the Virginia Passenger and Power Company.

The entire electric railway system of Richmond, Manchester and Petersburg is now being operated by the United States District Court, Judge EDMUND WADDELL, JR., presiding.

The receivers are Mr. WILLIAM NORTHROP and Hon. HENRY T. WICKHAM. It remains to be seen whether they will continue a system of operation which has proved injurious to the financial interests of the company, and directly disastrous to the income of the bondholders of the aggregated railway corporations.

The objectionable card should come down and the rules which are admitted failures should be obliterated from the cars of the street-car company.

Colored folks will yet see the red flag over the street-car system, and until they are properly treated will walk from one end of this city to the other.

The street-car company is "busted." The colored people were instrumental in hastening its down-fall. Walking is good now. We are as yet staying off the street-cars.

JUDGE SPEER'S GREAT OPINION.

The opinion of Judge EMORY SPEER delivered in the United States District Court of Georgia June 28, '04 in the case of HENRY JAMISON (colored) versus E. A. WIMISH, Superintendent involving the rights of the petitioner under the Fourteenth Amendment to the Constitution of the United States is the most far-reaching decision delivered since the Civil War.

JAMISON, a respectable colored man was fined \$60.00 for disorderly conduct while under the influence of liquor.

Being unable to pay the fine, he was sent to the penitentiary by the Recorder of the Police Court of Macon, Georgia, to work in the chain gang and wear stripes. He was not accorded a jury trial. His counsel, Messrs. ALEXANDER AKERMAN and CHARLES AKERMAN sued out a writ of habeas corpus and brought the case before Judge EMORY SPEER of the United States District Court, alleging that JAMISON had been deprived of his liberty without due process of law.

The very remarkable opinion was rendered and JAMISON was discharged from custody. This involves a very delicate question and emphasizes the fact that there are cases where the Federal Constitution can be invoked, and a respect for its decrees maintained even to the point of nullifying the decrees of a state court.

That JAMISON had influential southern white friends is evident and no where have we seen any regret expressed that he was relieved from further punishment.

The opinion is unquestionably a valuable addition to the legal literature of this generation. It sets a pace which no doubt other jurists may be induced to practice.

The eloquently rounded sentences tell in no uncertain manner the intense feeling and the patriotic spirit which actuated the great man who delivered this philippic.

Let us hope that it marks the beginning of a new era and the mighty influence of the ringing declarations may penetrate the classic confines of the United States Supreme Court at Washington and awaken a reverberation from the supreme tribunal itself.

It may be that the champions of human liberty shall come from the South and that the chief of them all will yet be found wearing the judicial ermine of Judge EMORY SPEER of Georgia.

RUSSIA DEFEATED IN FIERCE FIGHT

21 Battalions Thrown Against Japs Were Repulsed.

RUSSIANS LOST OVER 1000 MEN

Count Keller's Troops Engaged Enemy

In Mountain Pass, and After Hard Fight Were Driven Back—Was a Reconnaissance on a Large Scale.

St. Petersburg, July 19.—The Russian and Japanese forces which are lined up expecting a clash grappled in a serious fight Sunday morning according to a report from General Kuropatkin received here late last night. The report indicated that the Japanese misinterpreted the movement and that instead of it being an attempt to take Mo Tien Pass it was a reconnaissance on a large scale.

An important fact developed by the reconnaissance was the exact location of a powerful Japanese force secreted in the region between Fon Shul and Mo Tien Passes. Its strength is indicated by the fact that 21 battalions were insufficient to permanently force the Japanese positions, though some of them were occupied temporarily. On the other hand it would appear from the report that the Japanese were either disinclined or unable to follow up Lieutenant General Keller when he retired to his former position at Ikhuavien. The seriousness of the day's fighting is shown in General Keller's estimate that the Russian casualties were over 1000.

General Kuropatkin's report is as follows:

"After the occupation by General Kuropatkin's army of the passes in the Fenshui mountain chain, our information concerning his forces and dispositions was in general inadequate. According to some reports, his army had been reinforced and he had even extended his forces to Saimatza. Other reports stated that a displacement of his troops had been made in the direction of Ta Pass and Siuyen. There were even indications that Kuropatkin had transferred his headquarters from Tekhakhekan to Toulunpu.

"On July 17, in order to determine the strength of the enemy, it was decided to advance against his position in the direction of Lian Shan Kwan. Lieutenant General Count Keller had been instructed not to start with the object of capturing the pass, but to act according to the strength of the force he would find opposed to him.

"The left column of this expeditionary force, consisting of three battalions, was dispatched towards Siley Pass. The centre column, commanded by Major General Kashtalinsky, consisting of 14 battalions, with 12 guns, was destined to attack Siaokao Pass, the heights surmounted by the temple, and Wafankwan Pass. The right column, one battalion strong, was occupying points where the roads leading to Sinkia and Lakho Passes cross, in order to cover the right flank of General Kashtalinsky's column. The general reserve was left at Ikhuavien, and a portion of the force occupied a position at that place.

"At 10 p. m., July 16, the head of the column advanced from Ikhuavien. At 11 o'clock a battalion of the second regiment dislodged a Japanese outpost at the point of the bayonet at the crossing of the Lakho and the Sinkia roads. The details of this engagement have not yet been verified, but its general course, according to telegraphic reports sent in by General Keller was as follows:

"During the night the Japanese had evacuated Siaokao Pass and the heights surmounted by the temple, leaving only outposts there. At dawn General Kashtalinsky's column occupied these passes, driving back the Japanese advance posts.

"At about 5.30 on the morning of July 17 the Japanese in considerable strength and with numerous guns occupied Wafankwan Pass and the mountain bluffs to the south on the flank of General Kashtalinsky's column. From this position and from the crest of the mountains to the east of the heights surmounted by the temple, the enemy directed a very heavy rifle and artillery fire.

"General Kashtalinsky advanced to occupy the bluffs, sending forward at first one and then three battalions, but the attempt failed, notwithstanding the support given by the horse mountain battery, as our field guns could not be brought into action on account of the nature of the ground.

"At about 8 a. m. General Keller, who was directing the fight around Ikhuavien, deemed it necessary to lend assistance to General Kashtalinsky's column by bringing up from the general reserve three battalions to the heights surmounted by the temple. In order to maintain the positions we had already occupied it was necessary, owing to the enemy's pressure, to reinforce immediately with other reserves the troops in the fighting line, but these positions, owing to their situation, were untenable.

"General Keller found the strength of the enemy so great compared with ours that he decided not to continue the fight and not to bring up either the special or the general reserves, especially owing to the fact that in case of his ultimately taking the offensive it would be necessary to attack without support of the field artillery.

"In consequence of this General Keller decided about 10.30 to withdraw his troops to the positions originally occupied in the Yanze Pass. The troops retired slowly, step by step, and in perfect order, covered by the fire of a field battery which had been brought into action.

"Towards midday an offensive movement by the enemy in the direction of the right flank of the Yanze Pass position developed, and at the same time a Japanese mountain battery was brought into position in the village of Tsoudiapute, two and a half miles south of Ikhuavien.

"After 34 shots had been fired from the third battery of the third brigade, which held the saddle to the south of Yanze Pass, the Japanese battery was finally reduced to silence.

"The fight ceased at 3 p. m., and the troops returned to Ikhuavien.

"In consequence of a sleepless night and the heat of the day, our troops were greatly fatigued, having been over 15 hours on foot and fighting.

"Our losses have not yet been exactly ascertained, but General Keller reports that they exceed 1000."

Japs Lost 299 Men.
 Tokyo, July 20.—The Japanese losses in the fighting at Mo Tien Pass and its vicinity Sunday were 299 killed or wounded. General Kuropatkin estimates that the Russians lost more heavily.

RUSSIANS AGAIN BEATEN
 Reported They Lost 2100 Men In Sharp Fighting at Tongshu.

Newchwang, July 20.—Hard fighting has been going on for several days in the neighborhood of Tongshu, eight miles east of Tachekiao. It is reported that the Russian loss in Monday night's engagement was 2100 and the Japanese loss 1200. The Japanese also have been in active contact with the Russians east of Hacheng, where there have been many minor actions.

All along Kuropatkin's front and flank the Japanese are moving into position, but the general attack is being postponed until supplies and reinforcements come to the front. Progress along the Mukden roads and mountain passes is slow.

4000 Japs Blown Up?
 Chefoo, July 20.—A junk with eight Russians and 50 Chinese on board arrived here, five days from Port Arthur. The Russians refused to talk, but the Chinese said that on July 11 and 12 the Japanese captured and occupied with 4000 men one of the eastern forts near Port Arthur. Before reinforcements arrived the Russians cut off the 4000 troops in the fort and exploded mines which resulted in the killing of every Japanese soldier in the place.

Another Warship Through Bosphorus.
 London, July 20.—The Constantinople correspondent of the Daily Mail, in a dispatch dated July 18, says: "A Russian cruiser has just passed through the Bosphorus from Odessa, with several guns covered with canvas on her deck. She also carried torpedo tubes."

tion occurred at Ailshakent, a small place in the southwest corner of the government of Elisabethopol, close to the Persian frontier.

Conscience-Stricken Thief.
 Philadelphia, July 19.—Declaring that he is a conscience-stricken thief, a man, who gave his name as George McCulla, of Pittsburgh, gave himself up to the Philadelphia police. He declares that he embezzled \$250 from the United Presbyterian Publication Board, of which he had been assistant manager for 17 years. From Pittsburgh he said he went to Atlantic City, Cape May and Coney Island, and further declared that love for his wife and children caused him to surrender to the police. He was held to await the action of the Pittsburgh authorities.

Oscar Straus For Roosevelt.
 New York, July 20.—Oscar S. Straus, of this city, who describes himself as "a liberal Democrat, and latterly a 'Cleveland Democrat,'" and who was minister to Turkey under Cleveland's first administration, has notified President Roosevelt of his determination to give him his support.

LOOMIS' DEATH A MYSTERY
 "Found Dead, Washed Up By Sea," Verdict of Coroner's Jury.

Kingsbridge, July 19.—"Found dead, washed up by the sea in Bigbury bay, Devonshire," was the verdict of the

coroner's jury in the inquest on the remains of F. Kent Loomis. The evidence was very inconclusive and wholly conjectural, as pointed out by the coroner when he advised this open verdict, adding that although death was caused by a blow, there was nothing to justify the suspicion that it was foully administered.

Consul Stephens, of Plymouth, has charge of the body, which is in fair state of preservation. It will be embalmed and sent home for burial as early as practicable.

MINERS SEE PRESIDENT
 Wilkesbarre Committee Present Petition On Colorado Strike.

Oyster Bay, L. I., July 20.—President Roosevelt received the committee appointed last Sunday by the convention of the coal miners and allied crafts at Wilkesbarre, Pa. The mission of the commission was to present personally to the president a petition reciting the conditions in which organized labor has been placed by the action of the authorities of Colorado and requesting him to institute an investigation of the labor troubles in that state, with a view, if possible, of remedying the conditions now existing.

The committee met the president at his Sagamore Hill home last evening. They passed half an hour with Mr. Roosevelt in his library. The petition, which was the expression of 225,000 men of the union labor organizations of Northeastern Pennsylvania, was laid before the president. He read it carefully and then informed them he would be glad to do anything he properly could to ameliorate the conditions existing in the state of Colorado. He indicated that an investigation of the labor troubles in that state is now being made by agents of the department of commerce and labor. Thus far the situation had not been such as would warrant interference by the federal government.

SCHEDULE FOR RURAL CARRIERS
 Under New Act Two-Thirds of Force Receives Increase of \$100.

Washington, July 19.—The new salary schedule for rural mail carriers has been completed. The new schedule applies from July 1. The last congress raised the maximum salary from \$600 to \$720 a year. It was found that the maximum route was 24 miles long, and to carriers on routes of this length, numbering about 12,000, the minimum salary will be paid. The salaries of carriers on routes shorter than the maximum was fixed by deducting \$18 for each mile less than 24. The net result has been that slightly over two-thirds of the whole force of 24,500 rural mail carriers have received increases of \$100 a year in their salaries. The remaining carriers have received increases of less than this amount.

Snake's Fatal Appetite.
 Elmer, N. J., July 18.—A black snake seven feet long and with a rabbit partly swallowed in its widely stretched jaws was on exhibition in front of the post office. The reptile "bit off more than it could chew," and was nearly choked to death when discovered at Maple Bridge, in the borough, by John Ackley, who put it out of its misery with his riding whip.

Baltimore Shipping Wheat West.
 Baltimore, Md., July 20.—For the first time since 1877 Baltimore has been called upon to ship wheat to the west approximately 100,000 bushels of No. 2 southern red wheat have been forwarded to millers as far west as Cincinnati. It is said that a large part of the early western wheat is in bad condition owing to unfavorable weather, and certain millers, in order to meet their orders for flour, have been compelled to use some southern

wheat until the better grades of the western cereal begins to arrive from their own section. Orders for southern wheat have also been received from New York and Pennsylvania points.

CRISIS IN THE MEAT STRIKE
 Packers Must Arbitrate or Allied Trades Will Come Out.
 JOINT CONFERENCE PROPOSED

Chicago, July 20.—The crisis in the stock yards strike will come soon. The allied trades unions in the stock yards, which are certain to become involved in the controversy if it is not soon settled, held a conference lasting five hours, and at its conclusion sent a letter to the packers asking for a joint conference between representatives of the strikers, of the packers and of the allied trades, to see if a settlement of the strike along peaceful lines cannot be reached. There was nobody who would say that the packers would agree to the conference, and it is impossible to say with certainty that the meeting will be held.

Arthur Meeker, manager for Armour & Co., speaking for the other packers, as well as for his own establishment, said that he would send a reply to the letter from the representatives of the allied unions. He declined to say, however, what the nature of the reply would be. The unions joining in the request for the meeting represent all the trades engaged in the packing industry, and they have joined in a final appeal for arbitration between the packers and the striking butchers. President Donnelly, of the Butchers' Union, said that he was anxious to have peace, but that unless it came with the proposed conference there would be a general sympathetic strike on the part of the allied trades unions.

The letter was signed by representatives of the Coopers, Packing House Teamsters, Stationary Firemen, Stationary Engineers, Steam Fitters, Steam Fitters' Helpers, Electric Workers, Carpenters, Car Workers, Millwrights and Machinery Erectors, Blacksmiths and Horseshoers Unions.

Both sides still claim to have the advantage in the strike. The packers assert that they are operating their plants almost to their full capacity, while the strikers contend that the packing trade throughout the country is practically demoralized. The packers also assert that there is no necessity for any advance in the prices of meat, and declare that it is simply a "hold-up" by the retail dealers.

FIGHTING THE PACKERS
 Philadelphia Butchers to Discontinue Supplying Them With Meat.

Philadelphia, July 19.—The Amalgamated Meat Cutters' and Butcher Workmen's Association has decided to fight the Philadelphia branches of the western packing houses. Since the strike started local independent butchers have been supplying in a small way the Philadelphia branches of the various western houses. Richard Butler, of New York, secretary and treasurer of the Sheep Butchers' Local Union, No. 10, came to this city and sought to have all local independent butchers discontinue supplying the western houses with dressed meat. In return for this the union agrees to supply all the men the independent concern might need to carry on the increased business. The prominent independents are willing to enter such an agreement, and a general meeting of all local independents will be held tomorrow at 1 p. m. at the West Philadelphia abattoir, with a view of having all local butchers to enter into the agreement.

The independent butchers feel confident that they can supply the entire city with meat. If the strike continues for any length of time and an agreement is reached with the union to supply men, it is possible that Philadelphia will supply a portion of the Atlantic seaboard with dressed meat. The independents declare that the city has the facilities and that live stock is plentiful.

FIVE DEATHS FROM HEAT
 Thermometer in Greater New York Reached 100 Degree Mark.

New York, July 20.—The hot wave which struck the city Monday, bringing death and prostration, increased yesterday to the highest temperature of the year and added more victims to the list. Five deaths from heat occurred in Brooklyn. Four of the dead were infants and the other was an aged man. In Manhattan there were 10 prostrations but no deaths.

The heat was greatest at 2 o'clock yesterday, when thermometers on the street reached the 100 degree mark. The humidity was 43.

The parks were filled with women and children seeking escape from the oven-like tenements, and every public bath in the city was crowded, with hundreds outside waiting their turn.

A WEEK'S NEWS CONDENSED.
 Thursday, July 14.

Mrs. Mary Miller, aged 84 years, was run down by a trolley car at Harrisburg, Pa., and fatally injured.

The steamer Nemes, with 31 persons aboard, has been lost in a storm off the coast of New South Wales.

An unknown colored man was lynched at Clayton, La., for murderously assaulting the white foreman of a saw mill.

Oscar L. Judd, of Newark, N. J., whose skull was fractured in an automobile accident at Providence, R. I., died from his injuries.